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December 24, 2014

VIA FACSIMILE

Hon. Paul E. Davison
United States Magistrate Judge
Southern District of New York
300 Quarropas Street, Courtroom 620
White Plains, NY 10601-4150

Re: Goldstein et al. v. Solucorp, et al., Case No.: 11 Civ 6227 (VLB)

Dear Judge Davison:

We represent plaintiffs in this matter. We write to request that this Court order the deposition of Richard Greene, who is an inmate at the Federal Correctional Institution – Miami, to be conducted on Tuesday, January 13, 2015, and Wednesday, January 14, 2015 at 12:00pm.

In a conference before this Court on Monday, December 8, 2014, your Honor required the deposition of Richard Greene to be conducted on or before January 30, 2015. We immediately contacted Kristen Holland, who is Mr. Greene's Correctional Counselor. Ms. Holland sent us a "Legal Visit Info" form, which we must comply with in order to conduct said deposition. Please find enclosed the Legal Visit Info form as Exhibit "A."

The Legal Visit Info form requires that "a court order must also be provided." We respectfully request this Court order the deposition of Mr. Greene to be conducted at the Federal Correctional Institution – Miami, on Tuesday, January 13, 2015, and Wednesday, January 14, 2015 at 12:00pm. We respectfully request two (2) days to depose Mr. Greene because the Legal Visit Info form restricts depositions to three (3) hours per day, and one three (3) hour period may not be sufficient.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Brian T. Carr', is written over a horizontal line.

Brian T. Carr (BC-2519)

cc: All counsel of Record

AFFILIATES

LIVINGSTON, NEW JERSEY

LOS ANGELES, CALIFORNIA

GARDEN CITY, NEW YORK

BUCHAREST, ROMANIA

YANGON, MYANMAR



U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Institution-Miami

15801 S.W. 137th Avenue

MEMORANDUM FOR FOR ALL CONCERNED

FROM: K. Holland, I Camp Counselor

SUBJECT: Legal Visiting Procedures for FCI and SCP Miami

Visiting hours at the main institution are from 8:30 a.m. to 3:00 p.m., on Sunday, Friday, Saturday and holidays. Visiting hours at the Satellite Camp are from 5:00 p.m. to 8:00 p.m., on Friday and 8:30 a.m. to 3:00 p.m., on Saturday, Sunday and holidays. Attorney visits take place in a social visiting area. However, if a higher degree of privacy is required, you should provide that information to the institution's legal office at the time you make your request to visit. We will do our best to accommodate your request.

To allow sufficient time for verification and preparation, attorneys requesting a visit, must contact the institution's legal office at least 24-hours prior to their planned visits and during our business hours. This may be done through facsimile to (305) 259-2360, addressed to K. Holland, I Unit Counselor. Business hours are from 7:30 a.m., to 4:00 p.m., Monday through Friday, excluding holidays. Visit requests must be received at least 24 hours prior to the planned visit and requests must be received during our business hours. We recommend attorneys contact the institution to confirm their request has been approved and/or received. This process applies for requests to serve legal documents (process servers).

To obtain approval of a legal visit, requesting attorneys must provide the name and register number of their client, the state in which they are licensed, bar number and the date and approximate time of the visit. An attorney may request for an individual to enter the institution as the attorney's representative (law clerk, law student, paralegal, investigator, etc...). The attorney and applicant must complete an Application to Enter Institution as Representative (BP-s243.013) and NCIC Check (BS-s660.012). **These forms must be mailed to FCI Miami along with a legible copy of a government issued identification. Faxed applications will not be accepted.**

The supervising attorney must certify their representative's ability to perform in this role and his/her awareness of the responsibility of this position, pledging to supervise the applicant's activities, acknowledgment to abide by Bureau of Prisons regulations and accepting both personal and professional responsibility for all acts of their representative which may affect the institution, its inmates and staff. The same general regulations which apply to attorneys also apply to the attorney's representatives.

Keep in mind, the initial approval to enter the institution as a representative will take approximately one (1) week to complete. Incomplete applications may result in a delay of approval. Please make your initial requests accordingly.

An attorney visit may be conducted only with one inmate at a time. An attorney may bring legal materials (subject to inspection for contraband) to the visit. An attorney providing documents to an inmate will present them to the visiting room officer before giving them to the inmate. The visiting room officer will inspect the documents for contraband and return them to the attorney for delivery to the inmate. Attorneys should make all attempts to mail legal documents to their clients as inmates are very limited in the amount of documents they may take in/out of the visiting room.

Each visitor is required to provide proof of their identity to the front entrance office (i.e. one picture I.D. or two non-picture I.D.'s). Each visitor is required to sign an information form indicating his or her name, relationship to the inmate, awareness and understanding of possible penalties for violation of visiting regulation and/or the introduction of contraband. Any attempt to bring unauthorized items into the institution is a serious violation of federal law (18 USC § 1791) and is punishable by imprisonment of up to twenty-five (25) years and/or fine. The use of a camera or recording equipment without written consent of the warden is strictly prohibited.

Requests for depositions or interviews must be requested in the same manner, however, a list of all individuals to participate in the deposition/interview must also be provided. A Notice to Take Deposition and a court order must also be provided. Again, please be reminded that this initial investigation process will take approximately one (1) week to complete and must be completed prior to the first deposition/interview. Depositions are held on Tuesday, Wednesday, or Thursday only and can only be conducted from 12:00 pm until 3:00 pm.

Requests to conduct a polygraph exam of an inmate must be made in accordance with Bureau of Prisons Program Statement 5110.09. Accordingly, any request for a polygraph in connection with a misdemeanor offenses, civil proceedings, or any other matters, must be accompanied with a federal court order. Your request should also include the date and approximate time you will be entering the institution and all person(s) entering the institution to conduct the testing. The legal office must be provided information which would verify the credentials of these individual(s).

Additionally, the inmate being examined must give written consent at the time of the testing. If approved, you are responsible for meeting all state and local requirements in administering the test. The Bureau of Prisons will maintain a record in the inmate's central file of the polygraph test, indicating the inmate's consent and the time and place of the personnel involved in the testing.

DNA testing requests may be sent, via facsimile or mail, to our office and we will contact you to coordinate the testing.

These guidelines are not intended to be exhaustive and the complete rules and procedures concerning legal visiting are contained in Bureau of Prisons Program Statements 1315.07. If you have any questions or concerns about legal visiting at FCI Miami, please contact us at (305) 259-2100.